

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

CHRISTOPHER SUMMERS,	:	Case No. 3:16-cv-61
	:	
Petitioner,	:	Judge Thomas M. Rose
	:	
- VS -	:	
	:	
CHARLOTTE JENKINS, Warden	:	
Chillicothe Correctional Institution,	:	
	:	
Defendant.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS (DOC. 13)**

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This case is before the Court on the Objections (Doc. 14) filed by Petitioner Christopher Summers (“Summers”) to the Report and Recommendations (“Report”) (Doc. 13), in which Magistrate Judge Michael R. Merz recommends that the Court dismiss Summers’ Petition for Habeas Corpus (Doc. 1) with prejudice.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Summers’ Objections (Doc. 14) to the Report (Doc. 13) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report (Doc. 13) in its entirety and rules as follows:

1. The Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED WITH PREJUDICE**;
2. As reasonable jurists would not disagree with this conclusion, Summers is **DENIED** a certificate of appealability;
3. The Court **CERTIFIES** to the Sixth Circuit that any appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*; and
4. The Clerk is ordered to **TERMINATE** this case on the docket of this Court.

**DONE** and **ORDERED** in Dayton, Ohio, this Friday, October 21, 2016.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE